

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

Vicki Bube v. Caesars Riverboat Casino, LLC

Case Number	31C01-2103-CT-000008
Court	Harrison Circuit Court
Type	CT - Civil Tort
Filed	03/24/2021
Status	03/24/2021 , Pending (active)

Parties to the Case

Defendant Caesars Southern Indiana (*Dismissed*)

Removed

04/22/2021 - Dismissed

Defendant Caesars Riverboat Casino, LLC

Address

One Caesars Palace Dr.
Las Vegas, NV 89109

Attorney

Douglas Parker Dawson
#2964522, Retained

Walters Meadows Richardson, PLLC
920 Lily Creek Road Ste 102
Louisville, KY 40243
502-785-9090(W)

Defendant Caesars Entertainment, Inc. (*Dismissed*)

Removed

04/22/2021 - Dismissed

Defendant Vici Properties (*Dismissed*)

Removed

04/22/2021 - Dismissed

Plaintiff Bube, Vicki

Attorney

Larry O Wilder
#1144310, Lead, Retained

Wilder Law Office
530 East Court Avenue
Jeffersonville, IN 47130
812-288-6820(W)

Attorney

Gregory Lawrence Crutcher
#3398610, Retained

PO Box 23200
Louisville, KY 40223
812-285-6264(W)

Attorney

Martin Andrew Pohl
#3562582, Retained

922 Franklin Street
Louisville, KY 40206
(502) 583-5782(W)

Chronological Case Summary

03/24/2021	Case Opened as a New Filing
<hr/>	
03/24/2021	Complaint/Equivalent Pleading Filed
	Complaint and Demand for Jury Trial
	Filed By: Bube, Vicki
	File Stamp: 03/24/2021
<hr/>	
03/24/2021	Appearance Filed
	Appearance for Plaintiff by Martin Pohl
	For Party: Bube, Vicki
	File Stamp: 03/24/2021
<hr/>	
03/24/2021	Appearance Filed
	Appearance for Plaintiff by Greg Crutcher
	For Party: Bube, Vicki
	File Stamp: 03/24/2021
<hr/>	
03/24/2021	Subpoena/Summons Filed
	Summons-Caesars Southern Indiana
	Filed By: Bube, Vicki
	File Stamp: 03/24/2021
<hr/>	
03/24/2021	Subpoena/Summons Filed
	Summons-Caesars Riverboat Casino
	Filed By: Bube, Vicki
	File Stamp: 03/24/2021

03/24/2021 **Subpoena/Summons Filed**

Summons-Caesars Entertainment

Filed By: Bube, Vicki

File Stamp: 03/24/2021

03/24/2021 **Subpoena/Summons Filed**

Summons-Vici Properties

Filed By: Bube, Vicki

File Stamp: 03/24/2021

03/24/2021 **Motion for Change of Venue Filed**

Motion for Change of Venue

Filed By: Bube, Vicki

File Stamp: 03/24/2021

04/14/2021 **Appearance Filed**

Larry O. Wilder appears for Vicki Bube

For Party: Bube, Vicki

File Stamp: 04/14/2021

04/19/2021 **Order for Hearing**

Order Setting Hearing on May 19, 2021, at 11:30 a.m. by Zoom

Judicial Officer: Evans, John T

Noticed: Caesars Southern Indiana

Noticed: Caesars Riverboat Casino, LLC

Noticed: Caesars Entertainment, Inc.

Noticed: Vici Properties

Noticed: Crutcher, Gregory Lawrence

Noticed: Pohl, Martin Andrew

Noticed: Wilder, Larry O

Order Signed: 04/19/2021

04/19/2021 **Hearing Scheduling Activity**

Hearing on Motion for Change of Venue scheduled for 05/19/2021 at 11:30 AM.

04/20/2021 **Automated Paper Notice Issued to Parties**

Order for Hearing ---- 4/19/2021 : Caesars Southern Indiana;Caesars Riverboat Casino, LLC;Caesars Entertainment, Inc.;Vici Properties

04/20/2021 **Automated ENotice Issued to Parties**

Order for Hearing ---- 4/19/2021 : Gregory Lawrence Crutcher;Larry O Wilder;Martin Andrew Pohl

04/20/2021 **Document Filed**

Vicki Bube's Notice of Voluntary Dismissal as to Defendants Caesars Southern Indiana, Caesars Entertainment, Inc., and Vici Properties only only

Filed By: Bube, Vicki

File Stamp: 04/20/2021

04/20/2021 Document Filed

Notice of Service of Complaint and Summons to Caesars Riverboat LLC, with Attachment

Filed By: Bube, Vicki

File Stamp: 04/20/2021

04/22/2021 Order of Dismissal

Order of Dismissal without prejudice

Judicial Officer: Evans, John T

Noticed: Caesars Riverboat Casino, LLC

Noticed: Crutcher, Gregory Lawrence

Noticed: Wilder, Larry O

Order Signed: 04/21/2021

04/22/2021 Appearance Filed

Douglas P. Dawson appears for Caesars Riverboat Casino, LLC

For Party: Caesars Riverboat Casino, LLC

File Stamp: 04/22/2021

04/22/2021 Notice of Removal to Federal Court Filed

Notice of Filing Notice of Removal (Caesars), with attached Notice of Removal

Filed By: Caesars Riverboat Casino, LLC

File Stamp: 04/22/2021

05/19/2021 Hearing on Motion for Change of Venue

Session:

05/19/2021 11:30 AM, Judicial Officer: Evans, John T

Financial Information

* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

Bube, Vicki

Plaintiff

Balance Due (as of 04/22/2021)

0.00

Charge Summary

Description	Amount	Credit	Payment
Court Costs and Filing Fees	157.00	0.00	157.00

Transaction Summary

Date	Description	Amount
03/24/2021	Transaction Assessment	157.00
03/24/2021	Electronic Payment	(157.00)

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

31C01-2103-CT-000008

Harrison Circuit Court

Filed: 3/24/2021 9:52 AM
Harrison County Clerk
Harrison County, Indiana

IN THE CIRCUIT COURT FOR HARRISON COUNTY
STATE OF INDIANA

VICKI BUBE

Plaintiff,

v.

CASE NO: _____

CAESARS SOUTHERN INDIANA

11999 Casino Center Drive

Elizabeth, IN 47117

Serve: Corporation Service Company

135 North Pennsylvania St.

Suite 1610

Indianapolis, IN 46204

CAESARS RIVERBOAT CASINO, LLC

One Caesars Palace Drive

Las Vegas, NV 89109

Serve: Corporation Service Company

135 North Pennsylvania St.

Suite 1610

Indianapolis, IN 46204

CAESARS ENTERTAINMENT, INC.

One Caesars Palace Drive

Las Vegas, NV 89109

Serve: Corporation Service Company

135 North Pennsylvania St.

Suite 1610

Indianapolis, IN 46204

VICI PROPERTIES

Corporation Service Company

80 State Street

Albany, NY 12207

Defendants.

COMPLAINT AND DEMAND FOR JURY TRIAL

The Plaintiff, Vicki Bube (“Ms. Bube”), by and through counsel, and for her Complaint and causes of action against the Defendants hereby states the following:

1. Plaintiff, Vicki Bube, is and was at all times relevant hereto a resident of Clarksville, Clark County, Indiana.

2. Upon information and belief, Defendant, CAESARS SOUTHERN INDIANA, located at 11999 Casino Center Drive, Elizabeth, Harrison County, Indiana, is an Indiana Corporation authorized to do business in the State of Indiana.

JURISDICTION & VENUE

3. Jurisdiction and Venue are proper in this Court as the incident giving rise to the injuries sustained by the Plaintiff occurred in Harrison County, Indiana; Defendant, CAESARS SOUTHERN INDIANA is a registered corporation in Harrison County, Indiana and has a storefront in Harrison County Indiana; and the claims made against the Defendant exceed the jurisdictional minimum limits of this Court.

4. Jurisdiction over the Defendants is proper pursuant to Indiana Trial Rules 4 and 5.

FACTS

5. On or about November 15, 2019, the Plaintiff, an invitee, was a lawfully present patron upon the premises owned and operated by CAESARS SOUTHERN INDIANA.

6. That on that same date, and while on the premises of CAESARS SOUTHERN INDIANA, the Plaintiff, while exercising all due care for her own safety, fell while attempting to pass through an automatic door.

7. As a direct and proximate result of the fall, the Plaintiff was injured.

NEGLIGENCE

8. Plaintiff adopts and incorporates by reference all the foregoing paragraphs as if set forth fully herein.

9. The Defendant had a duty to maintain and/or inspect its premises in such a manner that the areas open to the public were free of defects and hazards that would endanger persons lawfully on the premises; to correct or remedy any defects and/or hazards of which it was aware, or with the exercise of due diligence, should have been aware; and to regularly inspect the premises to insure said property was free of defects and hazards that would endanger persons lawfully on the premises.

10. The Defendant breached one or more of the above stated duties in that it failed to remedy a dangerous and hazardous condition on the above-described premises; failed to properly and regularly inspect for such defects and hazards; and failed to warn the public of hazards it knew to exist or, with the exercise of due diligence, should have known existed.

11. The Defendant knew or should have known that a dangerous condition existed on its premises that posed a threat of harm to members of the public and other invitees, including the Plaintiff.

12. As a direct and proximate result of the aforementioned negligent acts and/or omissions of the Defendants, by and through their agents, ostensible agents, servants, employees and/or representatives, Plaintiff incurred medical expenses, physical and mental suffering both past and future, transportation expenses, and lost enjoyment of life.

WHEREFORE, the Plaintiff demands as follows:

1. Judgment against the Defendants in an amount to be determined by the trier of fact as being fair and reasonable by all the evidence;
2. Pre-judgment interest;

3. Post-judgment interest;
4. Attorney fees and court costs reasonably incurred or expended; and
5. All just and proper relief to which the Plaintiff may appear entitled, including the right to amend this Complaint.

Respectfully submitted,

/s/ Martin Pohl
Martin Pohl (IBA #35625-82)
Gregory Crutcher (IBA #33986-10)
HESSIG & POHL, PLLC
922 Franklin St.
Louisville, KY 40206
Telephone: (502) 583-5782
Facsimile: (502) 583-5785
martin@hessigandpohl.com
greg@hessigandpohl.com
Counsel for the Plaintiff

/s/ Larry Wilder
Larry Wilder (IBA #11443-10)
Larry Wilder Law Office
530 E. Court Ave
Jeffersonville, IN 47130
Telephone: (502) 930-4152
larrywilder@me.com

DEMAND FOR JURY TRIAL

The Plaintiff, Vicki Bube demands a trial by jury on all issues so triable.

/s/ Martin Pohl
Martin Pohl

IN THE CIRCUIT COURT FOR HARRISON COUNTY
STATE OF INDIANA

VICKI BUBE

Plaintiff,

V.

CAESARS SOUTHERN INDIANA, et al

Defendants.

CASE NO: _____

APPEARANCE BY ATTORNEY IN CIVIL CASE

*** **

Party Classification: INITIATING

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s): **Vicki Bube**
2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:
- | | | |
|----------|---|--|
| Name: | MARTIN POHL
HESSIG & POHL, PLLC | ATTY NO. 35625-82 |
| Address: | 922 Franklin Street
Louisville, Kentucky 40206 | PHONE: (502) 583-5782
FAX: (502) 583-5785 |
3. There are other party members: **YES**
4. If first initiating party filing this case, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): **CT**
5. I will accept FAX service at above noted number: **YES**
6. This case involves support issues. **NO**
7. There are related cases: **NO**

8. This form has been served on all other parties. Certificate of service is attached:

YES X

9. Additional information required by local rule: N/A

Respectfully Submitted,

/s/ Martin Pohl

Martin Pohl, #35625-82

HESSIG & POHL, PLLC

922 Franklin Street

Louisville, KY 40206

Telephone: (502) 583-5782

Facsimile: (502) 583-5785

martin@hessigandpohl.com

Counsel for Plaintiff

IN THE CIRCUIT COURT FOR HARRISON COUNTY
STATE OF INDIANA

VICKI BUBE

Plaintiff,

V.

CAESARS SOUTHERN INDIANA, et al

Defendants.

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CASE NO: _____

APPEARANCE BY ATTORNEY IN CIVIL CASE

Party Classification: INITIATING

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s): **Vicki Bube**
2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:
- | | | |
|----------|---|--|
| Name: | GREGORY CRUTCHER
HESSIG & POHL, PLLC | ATTY NO. 33986-10 |
| Address: | 922 Franklin Street
Louisville, Kentucky 40206 | PHONE: (502) 583-5782
FAX: (502) 583-5785 |
3. There are other party members: **YES**
4. If first initiating party filing this case, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): **CT**
5. I will accept FAX service at above noted number: **YES**
6. This case involves support issues. **NO**
7. There are related cases: **NO**

8. This form has been served on all other parties. Certificate of service is attached:

YES X

9. Additional information required by local rule: N/A

Respectfully Submitted,

/s/ Gregory Crutcher

Gregory Crutcher, #33986-10

HESSIG & POHL, PLLC

922 Franklin Street

Louisville, KY 40206

Telephone: (502) 583-5782

Facsimile: (502) 583-5785

greg@hessigandpohl.com

Counsel for Plaintiff

IN THE CIRCUIT COURT FOR HARRISON COUNTY
STATE OF INDIANA

VICKI BUBE

Plaintiff,

$$V_{\bullet}$$

CAESARS SOUTHERN INDIANA,

CAESARS RIVERBOAT CASINO, LLC,

CAESARS ENTERTAINMENT, INC.,

AND

VICI PROPERTIES

Defendants.

CASE NO: _____

MOTION FOR CHANGE OF VENUE

Comes the Plaintiff, Vicki Bube, by and through counsel, and hereby respectfully requests this Court pursuant to Ind. R. Trial P. 76, to grant a change of venue from the county.

The Plaintiff states the following in support of the motion:

1. The Plaintiff is unable to receive a fair trial in Harrison County because:
 - a. The Defendant has strong ties to the Harrison County area; and
 - b. The Defendant's strong ties to the area would make it difficult to form an impartial trial jury.
2. This motion is filed in accordance with the time limits set out in Ind. R. Trial 76.

CERTIFICATE OF SERVICE

This will certify that a true and accurate copy of the foregoing was filed with the Clark County Clerk:

Susan Popp, Clark County Clerk
501 E. Court Avenue, Room 137
Jeffersonville, IN 47130
Phone: 812.285.6244
Fax: 812.285.6372

The Undersigned further certifies that a true and accurate copy of the foregoing was sent via USPS, postage pre-paid, to the following:

Caesars Southern Indiana
Corporation Service Company
135 Pennsylvania St. Suite 1610
Indianapolis, IN 46204

Caesars Riverboat Casino, LLC
Corporation Service Company
135 Pennsylvania St. Suite 1610
Indianapolis, IN 46204

Caesars Entertainment, Inc.
Corporation Service Company
135 Pennsylvania St. Suite 1610
Indianapolis, IN 46204

VICI Properties
Corporation Service Company
80 State Street
Albany, NY 12207

on this 12th day of March 2021.

/s/ Martin Pohl
Martin Pohl, Counsel for Plaintiff

IN THE HARRISON CIRUIT COURT

STATE OF INDIANA

VICKI BUBE,

PLAINTIFF

VS

CAUSE: 31C01-2103-CT-000008

CAESARS SOUTHERN INDIANA

11999 CASINO CENTER DR.

ELIZABETH, IN 47117

CAESARS RIVERBOAT CASINO, LLC

ONE CAESARS PALACE DRIVE

LAS VEGAS, NV 89109

CAESARS ENTERTAINMENT, INC.

ONE CAESARS PALACE DRIVE

LAS VEGAS, NV 89109

VICI PROPERTIES

CORPORATION SERVICE COMPANY

80 STATE STREET

ALBANY, IN 12207

DEFENDANT

Appearance

1. The undersigned attorney appears on behalf of: VICKI BUBE

2. Attorney Information:

Name: Larry O. Wilder
Address: 530 East Court Avenue
Jeffersonville, IN 47130
Telephone: (812) 288-6820
Facsimile: (812) 282-3188
ISCN: 11443-10

3. Case Type: Civil Tort

4. Will Attorney accept service by Fax: Yes

5. There are related cases: No

6. Are there support issues: No

/s/ Larry O. Wilder

Larry O. Wilder

CERTIFICATE OF SERVICE

I certify that on the 14th day of April 2021, a true complete copy of the foregoing was electronically served by approved electronic transmission through the courts E-filing system.

/s/ Larry O. Wilder

Larry O. Wilder

STATE OF INDIANA

) IN THE HARRISON CIRCUIT COURT

)

COUNTY OF HARRISON

) CASE NO: 31C01-2103-CT-000008

VICKI BUBE

V.


CAESARS SOUTHERN INDIANA
CAESARS RIVERBOAT CASINO, LLC,
CAESARS ENTERTAINMENT, INC. ET AL

ORDER SETTING HEARING

Plaintiff having filed *Motion for Change of Venue*, and the Court being sufficiently
advised,

IT IS ORDERED that this matter is set for hearing on May 19, 2021, at 11:30 a.m. by
Zoom video conference. Meeting ID: 954 7474 4698 and Passcode: 307990

So ordered on April 19, 2021.



Judge, Harrison Circuit Court

Tendered By:



Martin Pohl
Gregory Crutcher
Larry Wilder
Counsel for Plaintiff

CLERK CERTIFICATE OF SERVICE

This is to certify that the foregoing has been served on the following on the ____ day of
April, 2021 via mail:

Martin Pohl
Gregory Crutcher
Hessig & Pohl, PLLC
922 Franklin Street
Louisville, KY 40206
Counsel for Plaintiff

Larry Wilder
Larry Wilder Law Office
530 East Court Avenue
Jeffersonville, IN 47130
Co-Counsel for Plaintiff

Douglas P. Dawson
Walters Richardson, PLLC
920 Lily Creek Road, Ste. 102
Louisville, KY 40243
*Counsel for Defendant,
Caesars Riverboat Casino, LLC*

CLERK

IN THE HARRISON COUNTY CIRCUIT COURT
INDIANA

VICKI BUBE
PLAINTIFF,

CAUSE NO. 31C01-2103-CT-000008
Electronically Filed

VS.

CAESARS SOUTHERN INDIANA,
CAESARS RIVERBOAT CASINO, LLC;
CAESARS ENTERTAINMENT, INC.; and
VICI PROPERTIES

DEFENDANTS

NOTICE OF SERVICE: CAESARS RIVERBOAT LLC.

Comes now the Plaintiff, Vickie Bube, by counsel, and hereby provides the Court notice that the Complaint and Summons were served pursuant to Indiana Trial Rule 4 on March 26, 2021. *See Exhibit A.*

WHEREFORE, Plaintiff request that the Court note the record to reflect proper service issued to Defendant, Caesars Riverboat LLC. on March 26, 2021.

Respectfully Submitted,



Martin Pohl
Gregory Crutcher
Hessig & Pohl, PLLC
922 Franklin Street
Louisville, KY 40206
Counsel for Plaintiff

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.



2. Article Number (Transfer from service label)
7018 3090 0000 6705 1238

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent
☐ Addressee

B. Received by (Printed Name)

3/31/2

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

- | | |
|--|---|
| 3. Service Type | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| Insured Mail | |
| Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

U.S. Postal Service		CERTIFIED MAIL® RECEIPT	Domestic Mail Only
For delivery information, visit our website at www.usps.com .			
Indianapolis, IN 46204		AIR MAIL FACILITY	0021 02
Certified Mail Fee \$3.60		Extra Services & Fees (check box, add fee as appropriate)	\$3.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00	
Postage and Fees \$1.40		03/26/2021	
Total Postage and Fees \$7.85		Sent to	
		Street and Apt. No., or PO Box No.	
		City, State, ZIP+4®	

AIR MAIL FACILITY
MAR 26 2021
Postmark Here

See Reverse for Instructions

IN THE HARRISON COUNTY CIRCUIT COURT
INDIANA

PLAINTIFF,

Electronically Filed

VS.

DEFENDANTS

NOTICE OF VOLUNTARY DISMISSAL

IT IS HEREBY ORDERED AND ADJUDGED that all claims that have been asserted by the Plaintiff, Vicki Bube, against the Defendants, Caesars Southern Indiana, Caesars Entertainment, Inc., and Vici Properties, and all claims that could have been asserted by the Plaintiff, Vicki Bube, against the Defendants, Caesars Southern Indiana, Caesars Entertainment, Inc. and Vici Properties, are hereby DISMISSED WITHOUT PREJUDICE, with each party to bear its own costs. This dismissal shall not affect Plaintiff, Vicki Bube's claims against Defendant, Caesars Riverboat Casino, LLC.

JUDGE, HARRISON COUNTY CIRCUIT
COURT

Tendered By:

A handwritten signature in black ink, appearing to be 'Martin Pohl', written over a horizontal line.

Martin Pohl
Gregory Crutcher
Larry Wilder
Counsel for Plaintiff

IN THE HARRISON COUNTY CIRCUIT COURT
INDIANA

VICKI BUBE

PLAINTIFF,

VS.

**CAESARS SOUTHERN INDIANA;
CAESARS RIVERBOAT CASINO, LLC;
CAESARS ENTERTAINMENT, INC.; and
VICI PROPERTIES**

DEFENDANTS

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CAUSE NO. 31C01-2103-CT-000008
Electronically Filed
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E-FILING APPEARANCE BY ATTORNEY IN CIVIL CASE

1. The party on whose behalf this form is being filed is:

Initiating _____ Responding X Intervening _____; and

the undersigned attorney and all attorneys listed on this form now appear in this case for the following parties:

Name of party: Caesars Riverboat Casino, LLC

Address of party: 11999 Casino Center Drive Elizabeth, IN 47117

Telephone number of party: 1-866-676-7463

2. The attorneys response for the representation of the above identified initiating party is:

Name: Douglas P. Dawson

Attorney No. 29645-22

Address: Walters Richardson, PLLC
920 Lily Creek Rd., Ste. 102
Louisville, KY 40243

Telephone No.: 502-785-9090
Fax No.: 502-742-0326
Email: Doug@WaltersRichardson.com

3. Undersigned certifies that the contact information listed on the Indiana Supreme Court Roll of Attorneys for each attorney is current and accurate as of the date the appearance is filed.

4. Undersigned acknowledges that all orders, opinions, notices and all documents served under Trial Rule 86(G) will be sent to the attorney at the email address(es) on the Indiana Roll of Attorneys regardless of other contact information supplied by the attorney; and

Undersigned acknowledges that it is their sole responsibility for keeping their contact information with the Indiana Roll of Attorneys accurate per Ind. Admis. Disc. R. 2(A).

Respectfully submitted,

WALTERS RICHARDSON, PLLC

/s/Douglas P. Dawson

Douglas P. Dawson (Bar #: 29645-22)

920 Lily Creek Road, Suite 102

Louisville, Kentucky 40243

Telephone: (502) 785-9090

Facsimile: (502) 742-0326

Email: Doug@WaltersRichardson.com

COUNSEL FOR DEFENDANT,

CAESARS RIVERBOAT CASINO, LLC

CERTIFICATE OF SERVICE

This is to certify that the foregoing has been served on the following on the 22nd day of April, 2021 via the Indiana E-Filing System:

Martin Pohl
Gregory Crutcher
Hessig & Pohl, PLLC
922 Franklin Street
Louisville, KY 40206
martin@hessigandpohl.com
greg@hessigandpohl.com
Counsel for Plaintiff

Larry Wilder
Larry Wilder Law Office
530 East Court Avenue
Jeffersonville, IN 47130
larrywilder@me.com
Co-Counsel for Plaintiff

/s/Douglas P. Dawson

COUNSEL FOR DEFENDANT,
CAESARS RIVERBOAT CASINO, LLC

IN THE HARRISON COUNTY CIRCUIT COURT
INDIANA

VICKI BUBE

PLAINTIFF,

VS.

**CAESARS SOUTHERN INDIANA;
CAESARS RIVERBOAT CASINO, LLC;
CAESARS ENTERTAINMENT, INC.; and
VICI PROPERTIES**

DEFENDANTS

)
)
) **CAUSE NO. 31C01-2103-CT-000008**
) *Electronically Filed*
)
)
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)
)

NOTICE OF FILING NOTICE OF REMOVAL

Please take notice that, pursuant to 28 U.S.C. § 1446(d), Defendant, Caesars Riverboat Casino, LLC, has on this 22nd day of April, 2021 removed this action by filing a Notice of Removal in the United States District Court for the Southern District of Indiana, New Albany Division, together with a complete copy of all process, pleadings, and orders served upon these Defendant in the state court action as of the date of the filing of the removal. A complete, true, and correct copy of such Notice of Removal, without exhibits, is attached hereto as Exhibit A.

Respectfully submitted,

WALTERS RICHARDSON, PLLC

/s/Douglas P. Dawson

Douglas P. Dawson (Bar #: 29645-22)

920 Lily Creek Road, Suite 102

Louisville, Kentucky 40243

Telephone: (502) 785-9090

Facsimile: (502) 742-0326

Email: Doug@WaltersRichardson.com

COUNSEL FOR DEFENDANT.

CAESARS RIVERBOAT CASINO, LLC

CERTIFICATE OF SERVICE

This is to certify that the foregoing has been served on the following on the 22nd day of April, 2021 via the Indiana E-Filing System:

Martin Pohl
Gregory Crutcher
Hessig & Pohl, PLLC
922 Franklin Street
Louisville, KY 40206
martin@hessigandpohl.com
greg@hessigandpohl.com
Counsel for Plaintiff

Larry Wilder
Larry Wilder Law Office
530 East Court Avenue
Jeffersonville, IN 47130
larrywilder@me.com
Co-Counsel for Plaintiff

/s/Douglas P. Dawson
COUNSEL FOR DEFENDANT,
CAESARS RIVERBOAT CASINO, LLC

Come the Defendant, Caesars Riverboat Casino, LLC (“Caesars”), by counsel, for its Notice of Removal from the Harrison Circuit Court to this Court pursuant to 28 U.S.C. § 1332, 1441, 1446, hereby files this Notice of Removal. As ground for removal of this action, Caesars respectfully states as follows:

1. On March 24, 2021, the Plaintiff, Vicki Bube (“Plaintiff”), commenced this civil action against Caesars in the Harrison Circuit Court, designated therein as Civil Action No. 31C01-2103-CT-000008. True and complete copies of the process, pleadings, and orders served upon and filed by all parties in this action are attached as **Exhibit 1**.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1332 (a) and (b) because there is diversity of citizenship between the parties and the total amount claimed by Plaintiff exceeds the jurisdictional minimum of \$75,000, though Defendant denies liability to Plaintiff's claims for damages.

3. Upon information and belief, the amount in controversy exceeds \$75,000, exclusive of interest in costs.

4. Plaintiff is citizen of Indiana.

5. Pursuant to *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998), “the citizenship of an LLC for purposes of the diversity jurisdiction is the citizenship of its members.” Pursuant to 28 U.S.C. § 1332 (c)(1), a corporation shall be deemed a citizen of its state of incorporation and the state where it has its principal place of business.

6. Upon information and belief, Caesars Riverboat Casino, LLC is wholly owned by and has as its sole member Roman Holding Company of Indiana, LLC. Roman Holding Company of Indiana, LLC is wholly owned by and has as its sole member Caesars World, LLC. Caesars World, LLC is wholly owned by and has as its sole member CEOC, LLC. CEOC, LLC is wholly owned by and has as its sole member Caesars Resort Collection, LLC. Caesars Resort Collection, LLC is wholly owned by and has as its sole member Caesars Growth Partners, LLC. Caesars Growth Partners, LLC is wholly owned by and has as its sole member Caesars Holdings, Inc. Caesars Holdings, Inc. is incorporated in Delaware and has its principal place of business in the State of Nevada. Therefore, Caesars Riverboat Casino, LLC is a citizen of Delaware and Nevada.

7. This action arises from an incident that occurred on November 15, 2019. The Complaint alleges that Plaintiff was injured in an incident at a property owned and operated by Caesars.

8. This action is removable to this District Court pursuant to 28 U.S.C. § 1441(a). This District and Division constitute the appropriate forum to which this action should be removed. The Harrison Circuit Court is within the New Albany Division.

9. Venue is vested in this Court pursuant to 28 U.S.C. § 1391 since this is a civil action where jurisdiction is founded on diversity of citizenship and the events complained of occurred in the Southern District of Indiana.

10. Pursuant to 28 U.S.C. § 1446(b), removal must be filed within thirty days after receipt of the initial pleadings setting forth the claim for relief.

11. The Notice tendered herewith is being filed on April 22, 2021, within thirty days of the receipt of Plaintiff's Complaint, which was originally filed on March 24, 2021, thus making removal timely.

12. Written notice of the filing of this Notice of Removal, the exhibits thereto, the Notice and Certificate were mailed to Plaintiff's counsel as of the date of this filing.

13. True and correct copies of the pleadings enumerated were filed with the Clerk of the Harrison Circuit Court as of the date of this filing.

WHEREFORE, Defendants, request the removal of this action from the Harrison Circuit Court to this Court for all other appropriate procedures.

Respectfully submitted,

WALTERS RICHARDSON, PLLC

/s/ Joshua J. Leckrone

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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on this 22nd day of April, 2021. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Joshua J. Leckrone
COUNSEL FOR DEFENDANT

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